

features ordered on a mechanized order, to that which is provided on the switch.” Texas Performance Measures, Business Rules, Version 1.6. SWBT’s overall rate of Mechanized Provisioning Accuracy for all CLEC orders declined from 97.1 percent in January to 90.8 percent in February. By contrast, SWBT’s provisioning accuracy rate for its own retail orders was 94.8 percent. This decline occurred as the number of orders submitted by CLECs increased by 36 percent over their January volume levels (from 62,712 to 85,488). *See Ham Supp. Aff.*, ¶ 33. In fact, the 90.8 percent rate is the lowest reported by SWBT since it first began reporting data for this measurement (for March 1999).

129. SWBT’s rate of provisioning accuracy declined even further with respect to AT&T’s orders. The rate for AT&T’s UNE-P orders declined from 97.2 percent in January to only 85.6 percent in February, while AT&T was increasing its monthly order volumes from [XXXXX] to [XXXXX].

130. SWBT cannot reasonably be said to be operationally ready when it is not providing CLEC customers with the service that they ordered almost 10 percent of the time, or (in AT&T’s case) 15 percent of the time – particularly in comparison to SWBT, which makes errors on only 5 percent of its own retail orders. Any error in provisioning severely impedes the competitive effectiveness of a CLEC, since any customer expects to receive the services that it ordered – and, if it does not, will blame the problem on the CLEC.

131. The decline in the provisioning rate for CLEC orders, and the disparity between those rates and the February rate for SWBT’s retail operations, is all the more disturbing because CLECs, unlike SWBT, do not have the capability to determine whether an order has been provisioned as ordered. SWBT’s retail operations have real-time access to information that

enables them to determine whether an order has been provisioned correctly – and to take immediate action to correct any provisioning errors. By contrast, CLECs could make such a determination only if SWBT provided them with a “complex completion notice” describing the features and services that were actually provisioned. SWBT, however, has not done so.

Dalton/DeYoung Initial Decl., ¶ 185.⁵⁸

132. **Daily Usage Feed Timeliness.** Similarly, SWBT’s performance declined significantly with respect to the timeliness of its provision of daily usage feeds to CLECs. According to SWBT’s performance reports, daily usage feeds increased from 73,915,313 in January to 99,467,200 – an increase of almost 30 percent. SWBT, however, provided only 91.3 percent of such feeds within 6 workdays in February, as compared to its 98.4 percent performance in January.

133. SWBT’s February performance fails to satisfy the 95 percent on-time standard established by the TPUC for this measurement (PM 19). More fundamentally, SWBT’s, 91.3 percent on-time performance means that more than 8 million feeds were not supplied on-time to CLECs under this standard. Because CLECs need daily usage feeds to ensure prompt and accurate billing of their customers, SWBT’s failure to provide almost 10 percent of such feeds in a timely manner is inconsistent with any claim of operational readiness.

⁵⁸ SWBT has also rendered unstable performance in the area of “billing completeness” – *i.e.*, the percentage of orders completed within a CLEC’s billing cycle that have been included within a CLEC’s bill. See Texas Performance Measurements, Business rules, Version 1.6 (PM 17); DeYoung Decl., ¶192. For AT&T’s loop orders, the billing completeness rate was 95.9 percent in November, 71.0 percent in December (when the number of AT&T’s loop orders fell by nearly two-thirds from November), 81.0 percent in January, and 97.3 percent in February. All of these
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134. **Wholesale Billing Timeliness.** Although SWBT has only recently released its performance data for March 2000, and AT&T therefore has not had the opportunity to conduct a comprehensive analysis of those data, it is already clear from the March data that SWBT is not providing wholesale bills to CLECs on a timely basis. Although SWBT reported that 100 percent of its wholesale bills were issued on a timely basis in February (PM 18), SWBT has reported that in March 2000 it was able to issue only 65.7 percent of wholesale bills to CLECs on a timely basis. This most recent performance was even worse than its performance in November 1999 (76.4 percent) or December 1999 (76.3 percent). Nor has SWBT provided any explanation for this substantial deterioration in its performance.⁵⁹

135. These data simply reflect SWBT's overall failure to provide nondiscriminatory access to billing functions. *See Dalton/DeYoung Initial Decl.*, ¶¶ 203-217. Indeed, SWBT's reported performance data do not capture all of its deficient billing performance. For example, since last August SWBT has erroneously included end-user billing records for interLATA toll calls in the daily usage files that it provides to AT&T (rather than simply include the originating access records associated with such calls), thereby creating the risk of erroneous billing. *Id.*, ¶¶ 210-214. Nearly eight months after AT&T discovered this error, and after giving varied explanations, SWBT has still not resolved the problem. *Id.*, ¶¶ 212-214. In fact, on April 20, after reviewing 131 AT&T records, SWBT provided AT&T with a

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rates were below the 98-99 percent rates reported for SWBT's retail operations during the same time period.

⁵⁹ SWBT has also provided no explanation for its failure to include *any* AT&T-specific data for this measurement in the AT&T-specific reports for months from October 1999 to the present.

matrix that identified 13 possible root causes of the problem, and stated that SWBT will conduct further investigation or “discussions” of many of these causes. SWBT’s inability to resolve this problem is yet another example of its lack of operational readiness.

B. SWBT’s Performance With Regard To UNE-P Conversions Continues To Be Characterized By Service Outages And Instances of Service Degradation.

136. Outages and instances of service degradation (such as static on the line or the inability of a customer to receive inbound calls) should never occur when a customer is converting from retail or resale to UNE-P. During a UNE-P conversion, as in the conversion of a retail customer to resale, SWBT simply leaves existing facilities in place and migrates the retail customer to CLEC service electronically. Thus, the conversion should be transparent to the customer. In addition, to the extent that customers served through the UNE-P experience problems, resolution of the problems should not require field work or attention to facilities.

137. Yet, inexplicably, frequent outages and instances of service degradation have occurred on UNE-P migrations. Moreover, even though a conversion should be a fully electronic transaction, Remedial Plans that SWBT has provided to AT&T have indicated that resolution of the conversion required SWBT to investigate facilities.⁶⁰ For example, in response to the deficiencies in its performance under PM 35, “Percent Trouble Report on C [Change] Orders Within 10 days – No Field Work – UNE-P (Houston),” SWBT stated:

⁶⁰ SWBT is required to provide AT&T with a Remedial Plan for any performance measurement as to which SWBT’s performance is greater than three standard deviations below the established performance benchmark or parity criteria in a single month or is greater than one standard deviation below the performance benchmark or parity criteria for three consecutive months. The Remedial Plan is required to describe the root cause of the problem and the corrective action that SWBT has taken in response to the problem.

Root Cause: Unable to identify specific root cause. Of the 86 110's [within 10 days] behind NFW [no field work] UNE Combos, 34% were closed to outside plant and 19% were closed to station wiring, 12% closed to C.O. The remaining 35% were closed to Customer action, TOK [test OK] or FOK [found OK].⁶¹

138. SWBT's analysis is baffling, because there is no reason why its investigation – which involved only UNE-P orders reported under a performance metric that involved “no field work” – would require attention to facilities. Nonetheless, the Report's references to “outside plant,” “station wiring,” and “central office” suggests that facilities were investigated. Similarly, in its the “preliminary root cause analysis” of certain August 1999 trouble tickets submitted by AT&T in connection with UNE-P conversions, SWBT made numerous references to the need to dispatch to restore service, and to the investigation of facilities (such as repairing cables and resplicing pairs). See Attachment 10 hereto.

139. SWBT's latest filing portrays the outage/service degradation problem as *de minimis*, and asserts that its three-order process for UNE-P conversions is both reliable and defensible. Ham Supp. Aff., ¶ 31. SWBT is wrong on both counts.

140. Relying on its March 24, 2000 *ex parte* submission to this Commission, SWBT asserts that its “analysis” of AT&T's UNE-P conversion orders and trouble reports showed that “only 0.7% of AT&T's UNE-P conversions in December 1999 and 0.8% in January 2000 resulted in loss of dial tone.” *Id.* This analysis is seriously flawed. In the first place, the complete loss of all telephone service by one out of every hundred customers converting to a

⁶¹ See SWBT Remedial Plans Status, UNE-P/Resale, June 1999-February 2000, p. 9 (Attachment 15 hereto).

new carrier is not a minor problem for AT&T, particularly when there should be no change at all in the facilities used to serve the customer.

141. Second, SWBT's analysis does not encompass all of the problems with which AT&T and other CLECs are concerned because it is focused exclusively on the *loss of dial tone* by the customer.⁶² AT&T's concerns, however, include not only the loss of dial tone, but also such customer-affecting service problems as the inability of a customer to receive incoming calls and service degradation (such as static on the line) on lines that had previously experienced no trouble. SWBT's study does not address these service problems at all.

142. Third, even as to outages, AT&T's concerns encompass not only outages that occur on or after the service order completion is returned, but also outages that occur *on or before* the due date.⁶³ SWBT's "analysis" was based on a review of SWBT's PM 35-12, which "measures the percentage of C ('change') orders with no field work that receive trouble reports within 10 calendar days of service order completion." *Id.*, Att. J (attachment to *ex parte* letter, entitled "AT&T UNE-P Conversions"). However, PM 35 specifically excludes trouble reports received on the due date *before service order completion*." Texas Performance Measures,

⁶² See Ham Supp. Aff., ¶ 31 (stating percentage of AT&T's UNE-P conversions that "resulted in loss of dial tone"); *id.*, Att. J ("Summary of Analysis" stating that "CLECs alleged that the three-order process used by SWBT to convert customers from SWBT to CLEC UNE Switch Port (UNEP) caused loss of dial tone for a large percentage of their end-users on the due date").

⁶³ An outage could occur before the due date if, for example, the "D" order is processed in advance of the due date, while the "C" and "N" orders are not. In fact, such a situation occurred in connection with CLECs' frame due time orders in February, when a software error in SWBT's RCMAC system caused "D" orders for AT&T's UNE loop customers to be processed well before the "C" order – resulting in premature disconnects in advance of the specified due date. See Dalton/DeYoung Reply Decl., ¶ 47.

Business Rules, Version. 1.6 (emphasis added). This leaves an important gap in SWBT's "analysis," because: (1) SWBT does not issue service order completions ("SOCs") until SWBT's internal "C" order has been completed; and (2) the basic deficiency in SWBT's multi-order process is that some internal SWBT service orders (such as the "D" or "disconnect" order) are completed, while the associated "N" and "C" do not. In such situations, the completed "D" order will cause an outage, but the incomplete status of the "C" order delays that issuance of the SOC. Thus, PM 35-12 would not include all relevant outages.

143. In addition to the flaws in its assumptions and methodology, SWBT's analysis is defective because it is limited to data on AT&T's orders – suggesting that service problems and service degradation are not experienced by other CLECs or their customers. That is not the case. Many other CLECs have expressed concerns about these problems, both in these proceedings and elsewhere – including a December 1999 CLEC User Forum where CLECs noted that they had experienced a "notable increase" in outages in recent weeks.

Dalton/DeYoung Reply Decl., ¶ 45 & pp. 69-70.

144. Finally, SWBT's emphasis on the asserted "reliability" and purpose of its three-order process in its discussion of service outages is both misplaced and wrong. Ham Supp. Aff., ¶ 31. SWBT, for example, assumes that the three-order process is the sole cause of outages. That assumption is erroneous. As previously stated, although the three-order process is directly responsible for some outages, SWBT's own root cause analysis found that it does not account for all of them. See ¶ 75 & n.33, *supra*. In any event, the evidence submitted by AT&T and other CLECs is ample proof that the three-order process is not reliable.

145. SWBT asserts that its three-order process was established “to implement the TPUC’s requirement that SWBT’s billing be affirmatively and reliably stopped and the CLEC’s billing be affirmatively and reliably commenced.” Ham Supp. Aff., ¶ 31. SWBT’s rationale is unpersuasive. In the resale environment, where accurate billing is as important as in the UNE-P environment, SWBT eliminated the three-order process and now uses only one type of order to accomplish a resale conversion. Dalton/DeYoung Initial Decl., ¶ 170. SWBT has never explained why a three-order system – as opposed to the single-order system used in resale conversions – is indispensable to accomplishing its objective of accurate billing in the context of UNE-P conversions. The TPUC certainly never required SWBT to design its systems in this manner. Moreover, to the best of AT&T’s knowledge, SWBT did not raise billing issues as a justification for the three-order process until a hearing before the TPUC in November 1999.⁶⁴

C. SWBT Has Not Established That Its Systems Have Sufficient Capacity To Meet Current And Forecasted CLEC Demand.

146. SWBT advised AT&T in early February 2000 that any AT&T transmissions in excess of 500 orders per hour would be “held” at SWBT’s end, to be processed at a rate of no more than 500 orders per hour. This policy, adopted when AT&T was submitting increasing volumes of orders, was inconsistent with Telcordia’s finding that SWBT’s EDI interface could handle more than 2,000 orders per hour. More fundamentally, SWBT’s policy constituted further evidence that SWBT’s OSS are not operationally ready to respond to

⁶⁴ See AT&T March 8, 2000 Ex Parte letter to the Commission, pp. 6-7; TPUC Docket No. 16251, hearing held November 2, 1999, Tr. at 132 (included in Appendix C, Volume 137, Tab 1968 of SWBT’s January 2000 application) (assertion by SWBT that the three-order system provided the ability to produce a CABS bill, capture access usage, and keep lists and 911 “in sync and move these over to the CLEC on an expedited basis”).

increasing usage volumes. Dalton/DeYoung Reply Decl., ¶¶ 52-61; Dalton/DeYoung Initial Decl., ¶¶ 233-249.

147. SWBT has not altered its 500-order-per-hour processing limitation. Instead, SWBT and AT&T have engaged in discussions with the objective of attempting to work together to try to understand the issue better and work toward addressing it. As part of this cooperative effort, SWBT has agreed to share additional information at some future date about its batching/queuing practices. Nonetheless, AT&T remains concerned that SWBT's processing limitation reflects a capacity limitation in SWBT's systems that will result in delayed processing of orders, particularly as order volumes increase. This concern has been heightened by the stance that SWBT took at the recent performance measurements workshop on OSS measures where SWBT indicated that it has no way to capture the time that any orders are waiting in "queue" to be processed, thus ensuring that deteriorating performance with respect to orders affected by SWBT's queuing limitation will not be captured in its performance measures.⁶⁵

148. The questionable nature of SWBT's claims of sufficient capacity was also recognized recently by the Missouri Public Service Commission, when it issued a Request For Proposal ("RFP") for third-party testing of the capacity of the SWBT OSS, as well as for a third-party audit of SWBT's performance data. The RFP clearly represents the judgment of the MPSC that Telcordia's capacity testing of the OSS was so flawed that it could not be given weight. *See* Dalton/DeYoung Decl., ¶¶ 230, 234 (describing deficiencies in Telcordia's capacity testing). As

⁶⁵ *See* Transcript of TPUC Workshop held on April 17, 2000, pp. 201-202 ("I don't have a way to time stamp in an electronic format when those things are hitting that queue") (Cullen) (Attachment 6 hereto). *See also id.*, pp. 194-196.

the issuance of the RFP illustrates, SWBT simply has not proved that its systems have the capacity to handle the substantial CLEC order volumes that can be expected in the future.

149. Simply stated, SWBT has not shown that its electronic systems can be scaled to accommodate reasonably foreseeable demand. *See* Dalton/DeYoung Initial Decl., ¶¶ 234-240. In its previous capacity testing of SWBT's OSS, Telcordia found that the CPU utilization rate for SWBT's MVS system (which encompasses SWBT's UNE ordering OSSs, including EDI, LASR, MOG, and SORD) were dangerously close to 100 percent – well above SWBT's design threshold for the MVS platform. Telcordia acknowledged that these rates caused it "concern," and could eventually degrade response times. *Id.*, ¶¶ 235, 237. Ultimately, Telcordia recommended that SWBT improve its capacity planning process for the MVS by: (1) examining response time data in specified ways; and (2) implementing appropriate diagnostic metrics based on that study. SWBT was to compile that data, and provide the new metrics, in January or February 2000. *Id.*, ¶ 239.⁶⁶

150. However, the improvements that Telcordia recommended have not yet been implemented. During a conference call on April 19 with the TPUC Staff, Telcordia, and the CLECs, SWBT stated that it was still collecting the response time data and that it had not yet developed the metrics that Telcordia had suggested. In addition, Telcordia stated that it had no plans to conduct additional capacity testing even after SWBT has developed the data and metrics

⁶⁶ Indeed, at an Open Meeting held before the TPUC on October 21, 1999, SWBT expressly made a commitment to implement the new metrics in January 2000. *See* Transcript of October 21, 1999, Open Meeting, pp. 324-325 (Appendix C-1, Volume 18, Tab 209 of SWBT's January 2000 application).

– despite Telcordia’s own finding in its Final Report that SWBT’s ability to manage future scalability issues cannot be determined on the basis of a single capacity test. *Id.*

151. In view of Telcordia’s prior finding that SWBT’s capacity planning needed improvement, SWBT’s failure to implement Telcordia’s recommendations – together with Telcordia’s intention not to conduct further capacity testing – are, by themselves, ample cause for concern regarding the scalability of SWBT’s electronic OSS. SWBT still has not demonstrated its ability to maintain acceptable response times to CLEC workloads, and still remains unable to keep up with the challenges presented by even modest volumes of simultaneous competitive activities by CLECs. *Id.*, ¶¶ 240, 245-248.

CONCLUSION

152. SWBT states that the purpose of its latest affidavit regarding OSS is to “clarify[] SWBT’s current status in the development of its OSS for CLECs and provid[e] additional information about SWBT’s continuing efforts to improve the already nondiscriminatory access provided” with respect to integration, parsing, rejections, and change management. Ham Supp. Aff., ¶ 2. The facts, however, show that SWBT’s “current status” has not changed. SWBT still fails to provide nondiscriminatory access to its OSS. As was the case when it filed its original application in January, SWBT’s OSS suffer from fundamental deficiencies that deny parity of access to CLECs. In view of such deficiencies as the continuing inability of CLECs to achieve full integration of pre-ordering and ordering functions, the high level of order rejections, and SWBT’s admitted failure to follow the regular notice intervals of

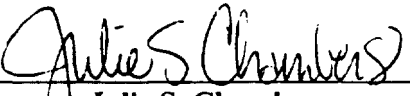
**FCC DOCKET CC NO. 00-65
SUPPLEMENTAL DECLARATION
OF JULIE S. CHAMBERS
and SARAH DeYOUNG**

**REDACTED
FOR PUBLIC INSPECTION**

the established change control process, SWBT's claim that it complies with its OSS obligations remains premature.

CC DOCKET 00-65

I declare under penalty of perjury that the foregoing is true and correct. Executed
on April 25, 2000.



Julie S. Chambers

CC DOCKET 00-65

I declare under penalty of perjury that the foregoing is true and correct. Executed
on April 25, 2000.

A handwritten signature in cursive script, appearing to read "Sarah De Young", written in black ink.

Sarah De Young